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Message Text

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20
ORIGIN EB-11

INFO OCT-01 NEA-10 IO-14 ISO-00 CIAE-00 COME-00 DODE-00

FMC-04 INR-10 NSAE-00 RSC-01 CG-00 COA-02 DLOS-06 L-03

PA-04 USIA-15 PRS-01 SPC-03 DRC-01 /086 R

DRAFTED BY EB/TT/MA:RWEBB:EW
APPROVED BY EB/TT/MA:RWEBB
FMC:WJSMITH
NEA/INS:JLEADER
---------- 117908
R 132238Z NOV 73
FM SECSTATE WASHDC
TO AMEMBASSY COLOMBO
INFO USMISSION GENEVA

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E.O. 11652:N/A
TAGS: ETRN, CE, US
SUBJECT:SHIPPING: US-SRI LANKA BILATERAL PROBLEMS AND
LINER CODE OF CONDUCT

REF: STATE 198993

1. CEYLON-USA CONFERENCE (WILLIAM HAMM) IS PLANNING TO DISCUSS INFORMALLY WITH FEDERAL MARITIME COMMISSION (FMC) POSSIBILITY OF SEEKING RELIEF FROM RECENT SRI LANKA CENTRAL FREIGHT BUREAU (CFB) ACTIONS (REFTEL AND PREVIOUS) THROUGH FMC ISSUANCE OF SECTION 19 ORDERS. (SECTION 19 OF 1920 MERCHANT MARINE ACT EMPOWERS FMC TO TAKE RETALIATORY STEPS AGAINST FOREIGN SHIPPING UNDER CERTAIN CONDITIONS; AS PRACTICAL MATTER IT NOT CLEAR HOW SECTION 19 COULD BE APPLIED IN ABSENCE OF SRI LANKA SHIPPING TO US PORTS). HAMM MADE CLEAR THESE ARE PRELIMINARY SOUNDINGS, DONE PARTLY FOR THEIR TACTICAL VALUE WHEN DISCUSSING PROBLEM WITH SRI LANKA OFFICIALS, AND THERE NO PROSPECT FOR ANY
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IMMEDIATE SECTION 19 ACTION.

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2. DEPARTMENT'S DIRECTOR OF OFFICE OF MARITIME AFFAIRS (WEBB) DISCUSSED BILATERAL SHIPPING PROBLEMS WITH AMB. KANAKARATNE NOVEMBER 5, LARGELY IN CONTEXT OF ONGOING INTERNATIONAL DISCUSSIONS ON CODE OF CONDUCT FOR LINER CONFERENCES. WE AIRPOUCHING MEMCON. KANAKARATNE ALREADY

AWARE OF MOST OF PROBLEMS INVOLVED FROM PREVIOUS DISCUSSION WITH HAMM, RECALLED HISTORICAL SRI LANKA PROBLEMS WITH CONFERENCES, AND STRESSED WILLINGNESS OF CFB TO SEEK PRACTICAL SOLUTIONS TO LEGAL AND COMMERCIAL PROBLEMS POSED BY ITS RECENT ENTRY INTO SHIPPING REGULATORY FIELD. HE SAID HE AWAITING REPLY FROM COLOMBO TO EARLIER REPORT HE SUBMITTED ON POSSIBLE PROBLEM OF CONFLICT OF LAWS OF TWO COUNTRIES.

3. KANAKARATNE NOTED THAT SRI LANKA SECRETARY OF MINISTRY OF SHIPPING AND TOURISM (P.B. KARANDAWELA) AND DIRECTOR OF MERCHANT SHIPPING (DAVID SOYSA) WOULD BE IN GENEVA FOR UN CONFERENCE ON CODE OF CONDUCT FOR LINER CONFERENCES (NOV. 12-DEC. 14) AND SUGGESTED THAT TWO SIDES CONTINUE DISCUSSIONS THERE. WEBB AGREED AND NOTED THAT APPROPRIATE FMC OFFICIALS WOULD BE IN GENEVA ALSO. KANAKARATNE SAID HE WOULD ADVISE COLOMBO. CASEY

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